

**From:** [Rodrigues, Paul A. \(EOIR\)](#)  
**To:** [Alder Reid, Lauren \(EOIR\)](#); [All of BIA \(EOIR\)](#); [All of Court Administrators \(EOIR\)](#); [All of Judges \(EOIR\)](#); [All of OCIJ HDO \(EOIR\)](#); [Anderson, Jill \(EOIR\)](#); [Apolito, Ingrid \(EOIR\)](#); [Barry, Robert \(EOIR\)](#); [Burgie, Brea \(EOIR\)](#); [Cicolini, Pietro \(EOIR\)](#); [Cunningham, Jennifer L. \(EOIR\)](#); [David Vignol \(EOIR\)](#); [Dever, Jeanette \(EOIR\)](#); [Don Lewis \(EOIR\)](#); [List Admin, ProBono \(EOIR\)](#); [Ellen Garber \(EOIR\)](#); [Fleener, Danny L. \(EOIR\)](#); [Gray, Gracie \(EOIR\)](#); [Harris, Alethea \(EOIR\)](#); [Jennifer McGraw \(EOIR\)](#); [Jennifer Pateski \(EOIR\)](#); [John Kelley \(EOIR\)](#); [Kier, Diane \(EOIR\)](#); [Kuiken, Celia \(EOIR\)](#); [McDowell, Ben \(EOIR\)](#); [Michael Jordan \(EOIR\)](#); [Michael Zachary \(EOIR\)](#); [Mittelstadt, Matthew James \(EOIR\)](#); [Nieves, Manuel A. \(EOIR\)](#); [Noferi, Mark \(EOIR\)](#); [Noonen, John \(EOIR\)](#); [O'Connell, Catherine \(EOIR\)](#); [Park, Jeannie \(EOIR\)](#); [Peter Shaw \(EOIR\)](#); [Rachel Dinetz \(EOIR\)](#); [Ramirez, Sergio \(EOIR\)](#); [Rich, John \(EOIR\)](#); [Rimmer, Phillip \(EOIR\)](#); [Rodrigues, Paul A. \(EOIR\)](#); [Ruffino, Lou \(EOIR\)](#); [Silber, Rachel \(EOIR\)](#); [Vick, Lindsay \(EOIR\)](#); [Wade, Catherine \(EOIR\)](#); [Williams, Tiffany \(EOIR\)](#)  
**Subject:** Recently Disciplined Practitioners, Reinstated Practitioners, and Updated List  
**Date:** Thursday, May 24, 2018 4:58:45 PM  
**Attachments:** [Atty Discipline Chart Primary.docx](#)

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Please see the attached document for a list of currently disciplined practitioners as of May 24, 2018. I would ask each Court Administrator to post this list in a conspicuous place in order to inform the public of the status of these practitioners. This list will be updated as orders are issued by the Board of Immigration Appeals or the Immigration Courts. Names of reinstated practitioners will be removed from the list after 6 months.

#### **Recently disciplined practitioners are:**

**Michael Joffe** - On May 21, 2018, the Board issued a final order, suspending Attorney Joffe from practice before the Immigration Courts, the Board, and DHS for 2 years, effective April 18, 2018, based on his suspension from the practice of law in New York.

**Keon Joong Lee** - On May 22, 2018, the Board issued a final order, suspending Attorney Lee from practice before the Immigration Courts, the Board, and DHS for 6 months, effective May 8, 2018, based on his suspension from the practice of law in California.

**Stephen Howard Sacks** - On May 22, 2018, the Board issued a final order, disbaring Attorney Sacks from practice before the Immigration Courts, the Board, and DHS, effective April 23, 2018, based on his disbarment from the practice of law in Maryland.

#### **The EOIR Disciplinary Counsel has been notified of the deaths of the following practitioners:**

**Gerard Walsh** – Boston, Massachusetts; licensed in Massachusetts and New York

**Bette Jean Lahti** – Dearborn, Michigan; licensed in Michigan

**Confidential Discipline** - Since the last update, the EOIR Disciplinary Counsel has issued confidential discipline to **10** practitioners for the following conduct: appearing on behalf of another attorney and unprepared to proceed; inadequate and deficient appeal brief; after appeal was dismissed, filed I-130 but did not file (or advise client to file) a motion to reopen once approved; failed to make arguments in support of claims for relief; repeated failures to appear for scheduled hearings; failed to disclose decision to client in a timely manner; misfiled Notice of Appeal with USCIS and did not file motion to accept untimely appeal with the Board; failing to file an appeal brief; attempting to file relief applications in administratively closed case without a motion to recalendar; no factual or legal issue raised in Notice of Appeal and no appeal brief filed.

EOIR's Attorney Discipline Program now has a dedicated e-mail address that EOIR employees may use to report misconduct by private immigration practitioners. The e-mail address is [EOIR.Attorney.Discipline@usdoj.gov](mailto:EOIR.Attorney.Discipline@usdoj.gov) and appears in the global address list as: Attorney Discipline, EOIR.

Please note that pursuant to Chapter 10.9 of the Immigration Court Practice Manual and Chapter 11.10 of the Board of Immigration Appeals' Practice Manual, a disciplined practitioner is obligated to advise all clients whose cases are pending before the Immigration Court or the Board that he or she has been disciplined. The Immigration Court Practice Manual further states:

Once a practitioner has been expelled or suspended [by an order issued by the Board or an Adjudicating Official], the practitioner's pending cases are deemed unrepresented. The Immigration Court rejects filings that are submitted by a practitioner after he or she has been expelled or suspended [by an order issued by the Board or an Adjudicating Official].

The Board's Practice Manual has a similar provision. Therefore, a disciplined practitioner has no authority to make any requests, including motions for continuances, in any of his or her former clients' cases, and the Immigration Courts and the Board do not, and should not, deal with a disciplined practitioner concerning his or her former clients' cases.

Also please note that if a practitioner is suspended or expelled, he or she may resume representation of former clients only after the Board issues an order granting reinstatement. Furthermore, they are then required to enter a new Notice of Entry of Appearance form in each case, even if he or she was the attorney at the time that discipline was imposed. Immigration Court Practice Manual Ch. 10.10(d); Board's Practice Manual Ch. 11.10(b), 11.12(c); EOIR Rules of Professional Conduct, 8 C.F.R. § 1003.107(c).

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